
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

Marion Crews,

Plaintiff,

versus

Dow Chemical Company,

Defendant.

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Civil Action G-07-107

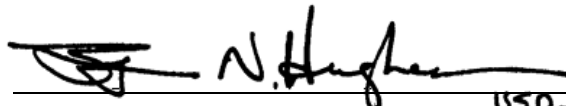
Opinion on Summary Judgment

In early 2006, Marion Crews requested full-time paid medical leave under the Family Medical Leave Act. When her leave expired, Dow Chemical Company continued to pay Crews for six months.

Crews completed an application for long-term disability through MetLife. Crews cannot be on long-term disability and an employee of Dow at the same time. The first requires that she be unable to do her job. The second requires that she be able to do it. Crews chose to apply for disability benefits. Dow did not stop paying her salary until she began receiving them. She has no claim for discrimination by Dow.

Marion Crews will take nothing on her claims against Dow Chemical Company.

Signed on January 29, 2008, at Houston, Texas.



Lynn N. Hughes
United States District Judge

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